

Senate Engrossed House Bill

State of Arizona  
House of Representatives  
Forty-seventh Legislature  
First Regular Session  
2005

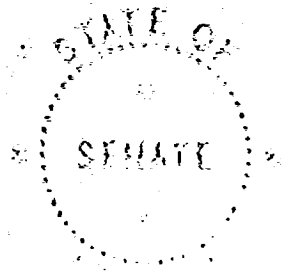
CHAPTER 139

# HOUSE BILL 2469

AN ACT

AMENDING SECTION 28-775, ARIZONA REVISED STATUTES; RELATING TO TRAFFIC AND  
VEHICLE REGULATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)



Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 28-775, Arizona Revised Statutes, is amended to read:

28-775. Authorized emergency vehicles; approaching; following fire apparatus; defensive driving schools; driver license examinations

A. Except when otherwise directed by a police officer, on the immediate approach of an authorized emergency vehicle equipped with at least one lighted lamp exhibiting a red or red and blue light or lens visible under normal atmospheric conditions from a distance of five hundred feet to the front of the vehicle, ~~other than a police vehicle when operated as an authorized emergency vehicle, and when the driver of an authorized emergency vehicle~~ AND THAT is giving an audible signal by siren, exhaust whistle or bell, the driver of another vehicle shall:

1. Yield the right-of-way.

2. Immediately drive to a position parallel to and as close as possible to the right-hand edge or curb of the roadway clear of any intersection.

3. Stop and remain in the position prescribed in paragraph 2 OF THIS SUBSECTION until the authorized emergency vehicle has passed.

B. AN AUTHORIZED EMERGENCY VEHICLE BEING OPERATED WITH ACTIVATED EMERGENCY LIGHTS AND SIREN IS EXEMPT FROM THE REQUIREMENTS OF THIS SECTION.

~~B.~~ C. The driver of a vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than five hundred feet or drive into or park the vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

D. WHEN A POLICE VEHICLE IS GIVING A VISUAL SIGNAL WITH AT LEAST ONE LIGHTED RED OR RED AND BLUE LIGHT OR LENS AND IS GIVING AN AUDIBLE SIGNAL BY SIREN, THE DRIVER OF ANOTHER VEHICLE:

1. SHALL NOT APPROACH OR DRIVE PARALLEL TO THE POLICE VEHICLE.

2. SHALL MAINTAIN A DISTANCE OF AT LEAST THREE HUNDRED FEET BEHIND ANY POLICE VEHICLE INVOLVED IN AN EMERGENCY UNTIL THE POLICE VEHICLE MOVES TO THE LANE CLOSEST TO THE RIGHT-HAND EDGE OR CURB OF THE ROADWAY.

E. IF A PERSON WHO DRIVES A VEHICLE APPROACHES A STATIONARY AUTHORIZED EMERGENCY VEHICLE AND THE AUTHORIZED EMERGENCY VEHICLE IS GIVING A SIGNAL BY DISPLAYING ALTERNATELY FLASHING RED OR RED AND BLUE LIGHTS, THE PERSON SHALL DO EITHER OF THE FOLLOWING:

1. IF ON A HIGHWAY HAVING AT LEAST FOUR LANES WITH AT LEAST TWO LANES PROCEEDING IN THE SAME DIRECTION AS THE APPROACHING VEHICLE, PROCEED WITH DUE CAUTION AND IF POSSIBLE, WITH DUE REGARD TO SAFETY AND TRAFFIC CONDITIONS, YIELD THE RIGHT-OF-WAY BY MAKING A LANE CHANGE INTO A LANE NOT ADJACENT TO THAT OF THE AUTHORIZED EMERGENCY VEHICLE.

2. IF CHANGING LANES WOULD BE IMPOSSIBLE OR UNSAFE, PROCEED WITH DUE CAUTION AND REDUCE THE SPEED OF THE VEHICLE, MAINTAINING A SAFE SPEED FOR ROAD CONDITIONS.

1        ~~E~~. F. This section does not relieve the driver of an authorized  
2 emergency vehicle from the duty to drive with due regard for the safety of  
3 all persons using the highway.

4        G. DEFENSIVE DRIVING SCHOOL COURSES THAT ARE OFFERED BY DEFENSIVE  
5 DRIVING SCHOOLS OPERATED PURSUANT TO CHAPTER 8, ARTICLE 7 OF THIS TITLE MAY  
6 INCLUDE EDUCATIONAL INFORMATION RELATING TO SUBSECTIONS D AND E. THE  
7 DEPARTMENT MAY INCLUDE INFORMATION RELATING TO SUBSECTIONS D AND E IN ANY OF  
8 THE DEPARTMENT'S EXAMINATION, INFORMATION OR EDUCATION MATERIAL.

APPROVED BY THE GOVERNOR APRIL 18, 2005.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 18, 2005.



Passed the House February 21, 2005

by the following vote: 59 Ayes,

0 Nays, 1 Not Voting

[Signature]  
Speaker of the House

Norman L. Moore  
Chief Clerk of the House

Passed the Senate April 6, 2005

by the following vote: 28 Ayes,

0 Nays, 2 Not Voting

[Signature]  
President of the Senate

Charmian Bellington  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

       day of       , 20  ,

at        o'clock        M.

        
Secretary to the Governor

Approved this        day of

      , 20  ,

at        o'clock        M.

        
Governor of Arizona

H.B. 2469

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this        day of       , 20  ,

at        o'clock        M.


        
Secretary of State

HOUSE CONCURS IN SENATE  
AMENDMENTS AND FINAL PASSAGE

April 12, 2005,

by the following vote: 59 Ayes,

0 Nays, 1 Not Voting

  
Herman L. Moore  
Speaker of the House  
Pro Tempore  
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

13th day of April, 2005

at 12:00 o'clock P. M.

  
Jennifer Ybarra  
Secretary to the Governor

Approved this 18 day of

April, 2005,

at 1<sup>st</sup> o'clock P. M.

  
Jon Kyl  
Governor of Arizona

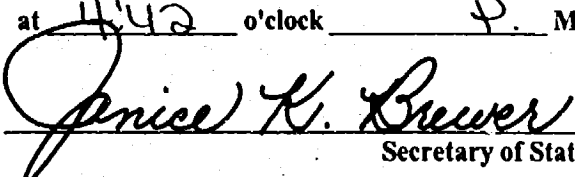
H.B. 2469

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 18 day of April, 2005,

at 4:42 o'clock P. M.

  
Janice K. Brewer  
Secretary of State